

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.
Currently, claims 14-34 are pending in this application.

As originally-filed, independent claim 1 required “A digital signal....”
Applicant’s May 3, 2005 Amendment/Response presented as claim 1 (erroneously labeled “original”) “A uniform resource locator scheme....” Accordingly, independent claim 1 as originally presented at the time the present application was filed is inconsistent with claim 1 (labeled “original”) presented in the May 3, 2005 Amendment/Response. To end any possible confusion regarding the status of these claims, claims 1-13 have been canceled.

Claims 14-20:

Claims 14-20 were presented in the Amendment/Response filed May 3, 2005. However, the outstanding Office Action did not specifically address or even acknowledge these claims. Applicant thus respectfully requests an initial examination of these claims. Claim 14 has been amended herein.

Rejection Under 35 U.S.C. §101:

Claims 1-4 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. In particular, the Office Action held that “...claim 1 is intangible, the digital signal is not embodied with any hardware system.” Claims 1-4 have been canceled and thus the rejection under 35 U.S.C. §101 is deemed moot. Independent claims 14 and 28 are directed to a method, independent claim 32 is directed to a terminal and independent claim 21 is directed to a Uniform Resource Locator product. Accordingly, each of these independent claims and their respective dependents is directed to statutory subject matter under 35 U.S.C. § 101.

Rejections Under 35 U.S.C. §102 and §103:

Claim 1 was rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Chan et al (U.S. 200 1-0046237, hereinafter “Chan”) in view of Lee et al (hereinafter “Lee”). Applicant respectfully traverses this rejection with respect to pending claims 14-34.

Independent claim 14 requires, *inter alia*, a Uniform Resource Locator comprising a circuit-switched identifier part identifying a resource as being accessible via a circuit-switched network, wherein it is the circuit-switched identifier part which identifies the specific type of circuit switched network via which the resource is accessible. Independent claims 21, 28 and 32 require similar limitations. Moreover, dependent claims 16, 23, 31 and 34 further require that the identifier part identifies the resource as being accessible via an ATM network. The combination of Chan and Lee fails to teach or suggest these limitations.

Page 4, section 2 of the Office Action states “Chan discloses the identifier part identifies (WWW, refer to 0004) the resources as being accessible via an ATM network (it is inherent that URL can locate the user desired resource via any kind of network, refer to 0035).” Paragraph [0035] of Chan states, *inter alia*, the following:

“The NIC 103 is connected to an interface/glue logic 105 that supports direct memory access to the shared memory 118. In the preferred embodiment, an Ethernet IObaseT NIC 103 is used, however, the disclosure does not limit to the Ethernet only. A token ring or an asynchronous transport module (ATM) network interface circuit and associated controllers may be substituted.”

Paragraph [0035] thus indicates that a token ring or an ATM network interface circuit (and associated controllers) are possible substitutes for the Ethernet NIC which is principally disclosed by Chan. However, this paragraph of Chan (and all other

paragraphs of Chan and Lee) fails to disclose an identifier part specifically identifying the resource as being accessible via a specific type of circuit-switched network such as an ATM network. The Office Action's general statement that "it is inherent that URL can locate the user desired resource via any kind of network (emphasis added)" would not lead one of ordinary skill in the art to the conclusion that Chan discloses an identifier part which specifically identifies a resource as being accessible via a specific type of network (such as an ATM network). The Office Action appears to allege that a general disclosure is enough to justify an allegation that something more specific is obvious. Such an "obvious to try" rationale is clearly improper. That is, the Office Action employs an improper "obvious to try" rationale in order to vary all parameters or try each of numerous possible specific choices until one possibly arrived at a successful result, where the prior art (Chan and/or Lee) gave either no indication of which parameters were critical or no direction as to which of the many possible choices is likely to be successful. There is certainly no teaching, suggestion or motivation in Chan (including paragraph [0035]) and/or Lee of an identifier part which specifically identifies a resource as being accessible via an ATM network as required by claims 16, 24, 31 and 34. Accordingly, Applicant respectfully requests that the above rejections under 35 U.S.C. §102 and §103 be withdrawn.

JONES et al.
Application No. 09/831,274
November 18, 2005

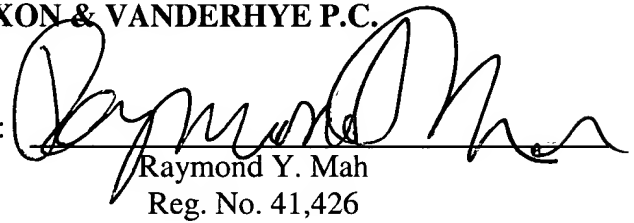
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Raymond Y. Mah
Reg. No. 41,426

RYM:sl
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4044
Facsimile: (703) 816-4100